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PTO/SB/17 (12-04)

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Effective on 12/08/2004.

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## FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 50.00)

### *Complete if Known*

|                      |                       |
|----------------------|-----------------------|
| Application Number   | 10/755,544            |
| Filing Date          | 1/12/2004             |
| First Named Inventor | POUPART, M.A. et. al. |
| Examiner Name        | Paviglianiti, A. J.   |
| Art Unit             | 1626                  |
| Attorney Docket No.  | 13/121                |

### METHOD OF PAYMENT (check all that apply)

|  |                                      |   |                               |   |
|--|--------------------------------------|---|-------------------------------|---|
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| <input checked="" type="checkbox"/> Deposit Account  |                                      | Deposit Account Number: 02-2955   |                               | Deposit Account Name: Boehringer Ingelheim Corporation  |
| For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)                 |                                      |   |                               |   |
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| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 |                                      | <input checked="" type="checkbox"/> Credit any overpayments                       |                               |   |

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### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   | _____          |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    | _____          |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    | _____          |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   | _____          |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     | _____          |

#### 2. EXCESS CLAIM FEES

##### Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

Multiple dependent claims

| Total Claims   | Extra Claims   | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Small Entity Fee (\$) | Fee (\$) |
|--|----------------|----------|---------------|---------------------------|-----------------------|----------|
| 43   | - 20 or HP = 1 | x 50.00  | = 50.00       | 360.00                    | 50                    | 25       |
| HP = highest number of total claims paid for, if greater than 20 |                |          |               |                           | 200                   | 100      |
| Indep. Claims  | Extra Claims   | Fee (\$) | Fee Paid (\$) |                           | 360                   | 180      |

HP = highest number of independent claims paid for, if greater than 3

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 =      | / 50 =       | (round up to a whole number) x 250.00            | =        |               |

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

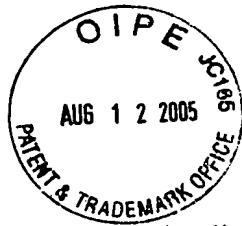
Other: \_\_\_\_\_

#### SUBMITTED BY

|                   |                  |   |                        |
|-------------------|------------------|---|------------------------|
| Signature         |                  | Registration No. 41,482<br>(Attorney/Agent) | Telephone 203-798-4542 |
| Name (Print/Type) | Philip I. Datlow |   | Date August 10, 2005   |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : POUPART, M.A. et. al. ) Art Unit: 1626  
Serial No. : 10/755,544 ) Examiner: Paviglianiti, A.J.  
Confirmation No. : 1310  
Filed : 1/12/2004  
For : Viral Polymerase Inhibitors  
Docket No. : 13/121

Mail Stop Amendment  
Commissioner for Patents  
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on August 10, 2005

By:   
Philip I. Datlow  
Reg. No. 41,482

### AMENDMENT

Sir:

In response to the Office action mailed on 7/12/2005 entry of the following amendments and reconsideration of the application in view of these amendments and the following remarks are respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 22 of this paper.